

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT C. BOLUS, SR.,

Plaintiff,

v.

WILLIAM GAUGHAN,

Defendant.

:
: CIVIL ACTION NO. 3:21-CV-001315
: (JUDGE MARIANI)
: (Magistrate Judge Mehalchick)
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ORDER

AND NOW, THIS 4th DAY OF JANUARY 2024, upon review of

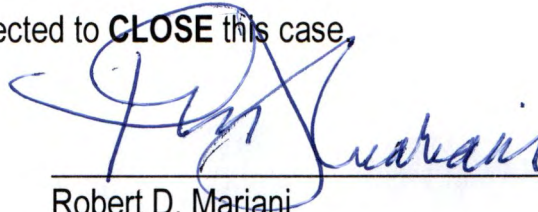
Magistrate Judge Karoline Mehalchick's Report and Recommendation ("R&R") (Doc. 18)

and all relevant documents for clear error or manifest injustice, **IT IS HEREBY ORDERED**
THAT:

1. The R&R (Doc. 18) is **ADOPTED** for the reasons set forth therein.¹
2. Defendant's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. 16) is **GRANTED**.
3. Because the Court has determined that amendment would be futile (see Doc. 18 at 10), the Amended Complaint for Civil Rights Violations (Doc. 15) is **DISMISSED WITH PREJUDICE**.

¹ The recommended disposition is based on a merits analysis of Plaintiff's Amended Complaint for Civil Rights Violations (Doc. 15) filed on May 9, 2023. (See Doc. 18 at 6-10.) The R&R also notes the untimeliness of Plaintiff's May 9, 2023, Amended Complaint (Doc. 15). (Doc. 18 at 5 n.2.) In adopting the R&R, the Court agrees with the R&R's timeliness assessment. (See Doc. 18 at 5 n.2.)

4. The Clerk of Court is directed to **CLOSE** this case.

A handwritten signature in blue ink, appearing to read "R. Mariani", is written over a horizontal line.

Robert D. Mariani
United States District Judge